

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

NINA SHAHIN,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C. A. No. 06-289 GMS
	)	
STATE OF DELAWARE	)	
DEPARTMENT OF FINANCE,	)	
	)	
Defendant.	)	

**DEFENDANT’S MOTION FOR ENLARGEMENT OF TIME IN WHICH  
TO RESPOND TO COMPLAINT**

COMES NOW State of Delaware, Department of Finance (“Defendant”), by and through undersigned counsel, and respectfully moves this Honorable Court to enter an Order granting an enlargement of time pursuant to Fed. R. Civ. P. 6(b), within which to file a responsive pleading in the above-captioned case. In support of this motion, Defendant and counsel aver as follows:

1. Nina Shahin ( “Plaintiff”) is a *pro se* litigant who resides, upon information and belief in Kent County, Delaware.
2. On or about May 3, 2006, plaintiff filed a “Complaint under Title VII of the Civil Rights Act of 1964” in this Court. The complaint alleges “age discrimination” in connection with Defendant’s “failure to employ” plaintiff. On or about May 16, 2006, the Court granted plaintiff leave to proceed *in forma pauperis*. (C.A. 06-289 GMS, D.I. 4).

3. Service of the May 3, 2006 complaint was not executed upon the office of the Attorney General and Defendant, Department of Finance, until August 25, 2006. (D.I. 8, 9).

4. After intake and processing within the Attorney General's office, the complaint was assigned to undersigned counsel, Deputy Attorney General Stephani J. Ballard on or about August 30, 2006. However, undersigned counsel was absent from the office on vacation from August 30, 2006 until today, September 8, 2006. Counsel learned of the fact that suit had been filed on September 2, 2006 during her absence, and requested her paralegal contact Ms. Shahin for an extension of time to respond, which was refused.

6. According to the rules of this Court, Defendant's responsive pleading to plaintiff's complaint would be due on Thursday, September 14, 2006.

7. Due to Defendant's counsel's absence from the office until September 8, 2006, and other currently pending matters in this Court, counsel will require additional time to adequately represent her client in this matter and respond to plaintiff's complaint. Accordingly, counsel hereby requests an extension of time until October 9, 2006, in which to file a responsive pleading.

8. This is Defendants' first request for an extension of time to file a responsive pleading in this case.

9. A form of order is attached to this motion that will grant Defendant an extension of time until on or before October 9, 2006, in which to file a responsive pleading.

WHEREFORE, for the reasons set forth above, Defendant respectfully requests that this Honorable Court grant Defendant's request for an extension of time and set the deadline for filing a responsive pleading on or before October 9, 2006.

**STATE OF DELAWARE  
DEPARTMENT OF JUSTICE**

/s/ Stephani J. Ballard  
**STEPHANI J. BALLARD**, #3481  
Deputy Attorney General  
Department of Justice  
State of Delaware  
Carvel State Office Building  
820 North French Street, 6th fl.  
Wilmington, DE 19801  
(302) 577-8400  
Attorney for Defendant

Dated: September 8, 2006

***CERTIFICATE OF MAILING AND/OR DELIVERY***

The undersigned certifies that on September 8, 2006, she caused the attached *Defendant's Motion for Enlargement of Time in which to Respond to Complaint* to be delivered to the following persons in the form and manner indicated:

**NAME AND ADDRESS OF RECIPIENT(S):**

Nina Shahin  
103 Shinnecock Road  
Dover, DE 19977

**MANNER OF DELIVERY:**

- ☐ One true copy by facsimile transmission to each recipient
- ☒ Two true copies by first class mail, postage prepaid, to each recipient
- ☐ Two true copies by Federal Express
- ☐ Two true copies by hand delivery to each recipient

/s/ Stephani J. Ballard  
**STEPHANI J. BALLARD**, #3481  
Deputy Attorney General  
Department of Justice  
State of Delaware  
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820 North French Street, 6th fl.  
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	)	
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**CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 7.1.1**

Counsel for the Defendant, Deputy Attorney General Stephani J. Ballard, files this certification in compliance with Rule 7.1.1 of the District of Delaware Local Rules of Civil Procedure and certifies that:

1. The Plaintiff in this action is *pro se* and resides at 103 Shinnecock Road, Dover, DE 19904.
2. Counsel for Defendant, who was out of the office at the time the Complaint was received, requested that her paralegal, Jennifer Mitchell, attempt to contact plaintiff, Nina Shahin, to seek her agreement to a stipulation for an enlargement of time to respond.
3. Ms. Mitchell reached plaintiff by telephone on or about September 5, 2006, and plaintiff advised that she would not agree to an extension of time.

**STATE OF DELAWARE  
DEPARTMENT OF JUSTICE**

/s/ Stephani J. Ballard  
**STEPHANI J. BALLARD**, #3481  
Deputy Attorney General  
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	)	
Defendant.	)	

**ORDER**

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 2006, Defendant's Motion for Enlargement of Time in which to Respond to Complaint having been heard and considered by the Court, it is hereby **ORDERED** that the Motion is **GRANTED** and the Defendant shall file a responsive pleading to the Complaint on or before on or before **October 9, 2006**.

\_\_\_\_\_  
J.